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SCIENCE&amp;TECHNOLOGY

## DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled *Intracellular Delivery Vehicles*, described in the specification filed herewith.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56.

Please direct all telephone calls to Richard Osman (650) 343-4341 and address all correspondence to: Science & Technology Law Group, 75 Denise Drive, Hillsborough, CA 94010

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

First joint inventor:

Daniel A. Portnoy

Inventor's signature:

Date:

Residence (city & state):

Citizenship:

Mailing Address:

Daniel A. Portnoy 8/12/98

Berkeley, CA

USA

Dept. Molecular and Cell Biology, 401 Barker Hall, U.C. Berkeley,  
Berkeley, CA 94720-3202

Second joint inventor:

Inventor's signature:

Date:

Residence (city & state):

Citizenship:

Mailing Address:

Darren E. Higgins  
Darren E. Higgins 8/12/98

Berkeley, CA

USA

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Berkeley, CA 94720-3202

091330440613300

Applicant: Portnoy et al.  
Serial No.: Not assigned  
Filed: Herewith  
Group: Not assigned

UCB98-039

POWER OF ATTORNEY BY ASSIGNEE

To the Assistant Commissioner for Patents:

The undersigned assignee of the entire interest in application for letters patent entitled: *Intracellular Delivery Vehicles* and having the named inventor(s): Daniel A. Portnoy and Darren E. Higgins, described in the application filed herewith, hereby appoints Richard Aron Osman, Ph.D. (Reg No 36,627) to prosecute this application and to transact all business in the United States Patent and Trademark Office in connection therewith.

Please direct all correspondence and telephone calls to: Richard Aron Osman, Ph.D. at 75 Denise Drive, Hillsborough, CA 94010; tel. (650) 343-4341.

In accordance with 37 CFR §3.73 the assignee submits herewith for recordation an assignment from the inventors to the undersigned assignee and hereby certifies that the evidentiary documents with respect to their ownership have been reviewed and that, to the best of assignee's knowledge and belief, title is in the assignee seeking to take this action.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application nor any patent issuing thereon.

By: The Regents of the University of California  
1111 Franklin Street, 5<sup>th</sup> Floor, Oakland, CA 94607-5200

Name: William A. Hoskins

Title: Director, Office of Technology Licensing

Signature: William A. Hoskins

09133014-0813300

Applicant or Patentee: Portnoy et al.

Atty Docket #: UC Case No. B98-039

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of Organization: The Regents of the University of California  
Address of Organization: 1111 Franklin Street, 5<sup>th</sup> Floor, Oakland, CA 94607-5200

**TYPE OF ORGANIZATION**

- ☒ University or other Institution of Higher Education  
☒ Tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3)1)  
☐ Nonprofit scientific or educational under Statute of State of the U.S.A. (Name of State \_\_\_\_\_) (Citation of Statute \_\_\_\_\_)  
☐ Would qualify as nonprofit scientific or educational under Statute of State of the U.S.A. if located in the U.S.A. (Name of State \_\_\_\_\_) (Citation of Statute \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Section 41(a) or (b) of Title 35, United States Code, with regard to the invention entitled: *Intracellular Delivery Vehicles*, and having the named inventor(s): Daniel A. Portnoy and Darren B. Higgins described in the specification filed herewith.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization having rights to the invention as listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAMES: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name/Title: William A. Hoskins, Director Office of Technology Licensing  
Address: 2150 Shattuck Avenue, Ste. 510 Berkeley, CA 94704-1620

By: William A. Hoskins DATE Aug 10, 1998